

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Kenneth Ellis

Case Number: 4:06CR00253-1 RWS

Name of Sentencing Judicial Officer: The Honorable Rodney W. Sippel
United States District Judge

Date of Original Sentence: August 28, 2006

Original Offense: Distribution of Five Grams or More of Cocaine Base

Original Sentence: 60 months imprisonment and five-years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: September 15, 2010

Expiration Date: September 14, 2015

Assistant U.S. Attorney: Hal Goldsmith

Defense Attorney: Caterina M. DiTraglia

PETITIONING THE COURT

☒ To issue a warrant

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number

Standard Condition #2: The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

Nature of Noncompliance

Ellis has failed to submit written monthly reports for September and October 2014. Ellis also submitted delinquent monthly reports for May and June 2014.

Ellis has not been interviewed regarding this violation.

Violation Number

Special Condition #2: The defendant shall participate in a drug or alcohol abuse treatment program approved by the United States Probation Office, which may include substance abuse testing, counseling, residence in a Community Corrections Center, residence in a Comprehensive Sanctions Center, Residential Re-Entry Center, or inpatient treatment in a treatment center or hospital. The defendant shall pay for the costs associated with substance abuse services based on a co-payment fee

established by the United States Probation Office. Co-payments shall never exceed the total cost of services provided.

Nature of Noncompliance

On October 16, 2014, and November 19, 2014, Ellis failed to report for random urinalysis at Avertest, located in St. Louis, Missouri.

On October 21, 2014, Ellis reported to Dismas House Residential Re-Entry Center (RRC) as a result of his continued noncompliance with the conditions of supervised release. According to the violation report from the Dismas House RRC, on November 16, 2014, Ellis returned to the facility. He gave the monitor a note stating he had been robbed outside of the building and he did not want to be there anymore. Ellis collected his personal belongings and exited the building without permission.

Ellis has not been interviewed regarding these violations.

Violation Number

Special Condition #3: The defendant shall participate in a mental health program approved by the United States Probation Office. The defendant shall pay for the costs associated with the services provided based on a co-payment fee established by the United States Probation Office. Co-payments shall never exceed the total costs of services provided.

Nature of Noncompliance

On November 11, 2014, Ellis failed to report for a mental health counseling session at McGuire Counseling, located in St. Louis, Missouri.

Ellis has not been interviewed regarding this violation.

Previous Violations

In a report dated January 28, 2011, the Court was advised that Ellis submitted to drug testing and the results were positive for marijuana. He was verbally reprimanded.

In a report dated June 9, 2011, the Court was advised that Ellis was arrested on an outstanding warrant for traffic violations and failed to report for random urinalysis. He was verbally reprimanded.

In a report dated January 23, 2012, the Court was advised that Ellis submitted to drug testing and the results were positive for marijuana and he failed to report for random urinalysis. Ellis was verbally reprimanded.

In a report dated May 21, 2012, the Court was advised that Ellis submitted to drug testing and the results were positive for marijuana, failed to report for a random urinalysis, submitted a diluted specimen, and failed to attend a group substance abuse counseling session. Substance abuse testing was increased.

In a report dated October 19, 2012, the Court was advised that Ellis admitted marijuana use, failed to submit monthly reports as required, and failed to report for random urinalysis. Ellis was issued a Letter of Reprimand.

In a report dated December 10, 2012, the Court was advised that Ellis submitted to drug testing and the results were positive for marijuana, failed to notify the probation office of change in employment, and failed to report for a random urinalysis. Ellis was verbally reprimanded. The Probation Office originally requested placement in the Dismas House RRC; however, on January 31, 2013, the conditions were modified to include Location Monitoring in place of the RRC due to employment.

In a report dated January 31, 2013, the Court was advised that Ellis was arrested for traffic violations and Driving While Under the Influence, consumed alcohol, failed to notify the probation office of law enforcement contact as required, and failed to report for random urinalysis. The conditions of supervised release were modified to include the Location Monitoring Program and mental health counseling.

In a report dated December 9, 2013, the Court was advised that Ellis admitted to alcohol consumption and failed to report for random urinalysis. Ellis was referred to Moral Reconciliation Therapy (MRT).

In a report dated April 17, 2014, the Court was advised that Ellis was arrested for Resisting/Interfere with Arrest and traffic violations, failed to notify the probation office of law enforcement contact as required, failed to submit monthly reports as required, and failed to report for MRT sessions as directed. Ellis was verbally reprimanded by a Supervising U.S. Probation Officer.

In a report dated May 27, 2014, the Court was advised that Ellis failed to report for random urinalysis, failed to report for MRT session, and admitted alcohol consumption. Ellis was required to repeat steps 1 and 3 of MRT that addressed honesty, accountability and responsibility.

In a report dated July 10, 2014, the Court was advised that Ellis was arrested for traffic violations. Ellis was required to participate in Courage to Change, a cognitive behavioral treatment program provided by the probation office.

In a report dated October 20, 2014, the Court was advised that Ellis submitted to drug testing and the results were positive for marijuana, was arrested for Failure to Appear and Peace Disturbance, consumed alcohol, was terminated from Courage to Change due to poor attendance, and failed to report for a random urinalysis. Ellis was referred to the Dismas House for 120 day placement.

U.S. Probation Officer Recommendation: It appears Ellis is not amenable to community supervision at this time and we respectfully request a warrant be issued based on his continued noncompliance with the conditions of supervised release including; new law violations, continued substance abuse, alcohol consumption, failure to report for random urinalysis, failure to report for substance abuse counseling, failure to report for cognitive behavior treatment sessions, failure to report for mental health counseling sessions, failure to submit monthly reports as required, failure to notify the probation office of law enforcement contact and employment changes, and his unauthorized departure from Dismas House.

Kenneth Ellis

4:06CR00253-1 RWS

The Supervised Release should be

[X] revoked.


I declare under penalty of perjury that the foregoing
is true and correct.

Executed on November 24, 2014

Approved,

Respectfully submitted,

by



Monica B. Mannino
Supervising U.S. Probation Officer
Date: November 26, 2014

by



Yolanda Gant
U.S. Probation Officer
Date: November 25, 2014

THE COURT ORDERS:

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- Appearance Date:
- Appearance Time:
- Courtroom Number:
- ☐ Other



Signature of Judicial Officer

November 26, 2014

Date